

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on February 20, 2009 at 3:03 P.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Art Noonan, Chairman (D)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Shannon Augare (D)
Rep. Carlie Boland (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Scott Reichner (R)
Rep. Wayne Stahl (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: None

Staff Present: Bryce Bennett, Committee Secretary
Todd Everts, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 220; HB 392; HB 593; HB 610
HJR 23

Executive Action: HB 392; HB 375; HB 483; HB 584
HB 593; HB 595; HB 597; HB 610

HEARING ON HB 610

Opening Statement by Sponsor:

00:01:03 Rep. Dan Villa (D), HD 86, opened the hearing on
HB 610, Revise eminent domain laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:02:21 Rep. Villa

HEARING ON HB 593

Opening Statement by Sponsor:

00:02:31 Rep. Dan Villa (D), HD 86, opened the hearing on
HB 593, Revise environmental laws.

[EXHIBIT\(feh40a01\)](#)

Proponents' Testimony:

00:05:58 John Fitzpatrick, self
[EXHIBIT\(feh40a02\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:16:37 Chairman Noonan
00:16:43 Rep. Villa
00:17:23 Rep. Regier
00:17:41 Rep. Villa

Closing by Sponsor:

00:18:15 Rep. Villa

00:20:05 Chairman Noonan asked Vice Chair Robyn Driscoll to take over as temporary chair.

HEARING ON HB 220

Opening Statement by Sponsor:

00:20:41 Rep. Art Noonan (D), HD 74, opened the hearing on HB 220, Revise renewable energy portfolio standard.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:21:18 Rep. Noonan

00:21:34 Vice Chair Driscoll closed the hearing on HB 220, and Rep. Noonan resumed as Chairman.

HEARING ON HB 392

Opening Statement by Sponsor:

00:21:42 Rep. Mike Phillips (D), HD 66, opened the hearing on HB 392, PSC authority for cost recovery on R&D for renewable resources.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON HJ 23

Opening Statement by Sponsor:

00:22:15 Rep. Shannon Augare (D), HD 16, opened the hearing on
HJ 23, Support UN declaration on rights of indigenous
people.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:25:22 Chairman Noonan
00:25:40 Rep. Regier
00:25:58 Rep. Augare
00:26:08 Rep. Regier
00:26:22 Rep. Augare
00:26:51 Rep. Regier
00:26:55 Rep. Augare
00:26:59 Rep. Reichner

Closing by Sponsor:

00:27:23 Rep. Augare

00:29:25 Chairman Noonan made announcement to the committee

00:31:04 Rep. Driscoll asked that the Democrats caucus
00:31:33 Rep. Klock asked that the Republicans caucus

00:31:37 Break
00:38:09 Reconvene

EXECUTIVE ACTION ON HB 483

00:38:55 **Motion:** Rep. Jones moved that **HB 483 DO PASS.**

Discussion:

00:39:02 Rep. Jones
00:39:58 Rep. Jopek
00:40:58 Rep. Augare
00:42:06 Rep. Jones
00:42:22 Chairman Noonan
00:42:59 Rep. Phillips
00:43:36 Chairman Noonan
00:43:43 Todd Everts, Legislative Services Division (LSD)
00:43:51 Chairman Noonan
00:44:32 Rep. Jones
00:52:31 Mr. Everts
00:52:49 Rep. Jones
00:53:56 Rep. Phillips
00:54:13 Rep. Jopek
00:54:44 Rep. Jones
00:54:55 Mr. Everts
00:55:27 Rep. Jones
00:57:00 Rep. Jopek
00:57:49 Rep. Jones
00:59:48 Rep. Jopek
01:00:07 Mr. Everts
01:01:36 Rep. Jopek
01:01:45 Mr. Everts
01:02:00 Rep. Phillips
01:03:07 Rep. Jones
01:03:45 Chairman Noonan
01:04:36 Rep. Jones
01:05:06 Mr. Everts
01:07:30 Chairman Noonan
01:07:53 Mr. Everts
01:08:17 Rep. Jones
01:08:55 Rep. Jopek
01:09:13 Mr. Everts
01:10:37 Chairman Noonan
01:10:40 Mr. Everts
01:11:37 Rep. Phillips
01:11:56 Chairman Noonan
01:12:29 Rep. Jones

01:12:39 Chairman Noonan
01:13:09 Rep. Wiseman
01:14:07 Rep. Jopek
01:14:44 Mr. Everts
01:15:50 Rep. Jopek
01:15:55 Mr. Everts
01:16:12 Chairman Noonan
01:16:45 Rep. Jones
01:18:28 Rep. Augare
01:19:16 Mr. Everts
01:19:22 Rep. Reichner
01:20:00 Chairman Noonan
01:20:08 Rep. Phillips
01:20:29 Chairman Noonan
01:21:16 Rep. Jones withdrew his motion.
01:21:54 Rep. Jopek
01:22:31 Mr. Everts
01:22:51 Rep. Jopek
01:22:56 Chairman Noonan

EXECUTIVE ACTION ON HB 375

01:23:15 **Motion:** Rep. Phillips moved that **HB 375 DO PASS.**

Discussion:

01:23:20 Rep. Phillips

01:23:46 **Motion:** Rep. Phillips moved that **HB 375 BE AMENDED.**
EXHIBIT(feh40a03)

Discussion:

01:23:50 Rep. Phillips

01:25:56 Rep. Driscoll called the question on the amendment.

01:26:01 **Vote:** Motion carried unanimously by voice vote.
Rep. Augare voted by proxy.

01:26:17 **Vote:** Motion tied 7-7 by roll call vote with Rep.
Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep.
Phillips, and Rep. Wiseman voting aye.
Rep. Augare, Rep. Jones, and Rep. Stahl voted by proxy.

EXECUTIVE ACTION ON HB 584

01:28:30 **Motion:** Rep. Driscoll moved that **HB 584 DO PASS.**

Discussion:

01:28:42 Chairman Noonan

01:29:09 Rep. Reichner called the question on HB 584

01:29:15 **Vote:** Motion carried unanimously by voice vote with Rep. Augare, Rep. Jones, and Rep. Stahl voting aye by proxy.

EXECUTIVE ACTION ON HB 220

01:29:49 **Motion:** Rep. Driscoll moved that **HB 220 BE TABLED.**

01:29:57 **Vote:** Motion carried unanimously by voice vote with Rep. Augare, Rep. Jones, and Rep. Stahl voting aye by proxy.

EXECUTIVE ACTION ON HB 595

01:30:22 **Motion:** Rep. Driscoll moved that **HB 595 DO PASS.**

01:30:39 **Motion:** Rep. Driscoll moved that **HB 595 BE AMENDED.**
EXHIBIT(feh40a04)

Discussion:

01:31:14 Chairman Noonan

01:31:28 Rep. Caferro

01:32:08 **Vote:** Motion carried 13-1 by voice vote with Rep. Regier voting no.

01:32:20 **Motion:** Rep. Driscoll moved that **HB 595 DO PASS AS AMENDED.**

Discussion:

01:32:30 Rep. Klock

01:32:47 Mr. Everts

01:33:15 Chairman Noonan

01:34:20 Rep. Reichner
01:35:03 Rep. Driscoll called the question on HB 595.

01:35:07 **Vote:** Motion tied 7-7 by roll call vote with Rep.
Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep.
Noonan, Rep. Phillips, and Rep. Wiseman voting aye.
Rep. Jones and Rep. Stahl voted by proxy.

EXECUTIVE ACTION ON HB 597

01:36:04 **Motion:** Rep. Driscoll moved that **HB 597 DO PASS**
01:36:20 **Motion:** Rep. Driscoll moved that **HB 597 BE TABLED.**
01:37:14 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 610

01:37:59 **Motion:** Rep. Driscoll moved that **HB 610 BE TABLED.**
01:38:13 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 593

01:38:21 **Motion:** Rep. Driscoll moved that **HB 593 DO PASS**

Discussion:

01:38:41 Mr. Everts

01:39:25 **Motion:** Rep. Driscoll moved that **HB 593 BE AMENDED.**
EXHIBIT(feh40a05)

Discussion:

01:39:42 Mr. Everts
01:41:48 Rep. Reichner
01:42:16 Chairman Noonan
01:44:09 Rep. Driscoll called the question.

01:44:13 **Vote:** Motion carried unanimously by voice vote.

01:44:24 **Motion:** Rep. Driscoll moved that **HB 593 DO PASS AS AMENDED.**

Discussion:

01:44:30 Rep. Driscoll called the question.

01:44:34 **Vote:** Motion carried unanimously by voice vote.
Rep. Jones and Rep. Stahl voted by proxy.

EXECUTIVE ACTION ON HJ 23

01:44:56 **Motion:** Rep. Driscoll moved that **HJ 23 DO PASS**

01:45:09 Rep. Driscoll withdrew her motion.

EXECUTIVE ACTION ON HB 392

01:45:31 **Motion:** Rep. Phillips moved that **HB 392 DO PASS**

01:45:33 **Motion:** Rep. Phillips moved that **HB 392 BE TABLED**

01:45:37 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 4:45 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([feh40aad.pdf](#))